

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)

MICHAEL PENNESSI, et al.,
Plaintiffs,

Case No. 3:17-cv-286
District Judge Walter H. Rice

v.

HANGER PROSTHETICS AND
ORTHOTICS, INC.,
Defendant.

PLAINTIFFS' MOTION FOR REFERRAL TO MEDIATION

1. Now come Plaintiffs and respectfully request this Court to refer this matter to mediation
2. Pursuant to the Parties' joint RULE 26(f) REPORT OF THE PARTIES, Para. 9: "Suggestions as to type and timing of efforts at Alternative Dispute Resolution: The Parties believe that mediation may be beneficial, but they would like to conduct some discovery first. They believe the case would likely be ready for mediation sometime in early 2018. Plaintiffs suggested possible arbitration by June 2018. Defendant is not willing to agree to arbitration at this time, but the Parties may revisit it later in the case."
3. Plaintiff Michael Pennessi is currently unemployed and submits to this Court that mediation sooner rather than later in the litigation process, especially versus the multi-billion dollar corporate Defendant, may be beneficial in resolving the litigation. Plaintiffs request referral by the Court to mediation pursuant to the

Southern District of Ohio Supplemental Procedures for Alternative Dispute Resolution.

4. The parties have pursued initial discovery and otherwise are familiar with the facts of the case, thus mediation is appropriate at this time.

WHEREFORE, Plaintiffs request referral to mediation at this time.

Respectfully submitted,

s/Robert L. Guehl
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CERTIFICATE OF SERVICE

I hereby certify that on this January 10, 2018, the foregoing has been filed via the Court's electronic filing system. Notice of filing will be performed by the Court's electronic filing system, and Parties may access the document through the Court's electronic filing system.

s/Robert L. Guehl
Robert Guehl